

WHAT'S NEW IN VIDEO GAMES; THE BROUHAHA OVER X-RATED GAMES



By Andrew Pollack

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problems; we are continuing to work to improve these archived versions.

Roll over Pac-Man. Hot Stuff is here. The X-rated video game has arrived. In recent weeks, two companies have announced adult-only games bearing names such as X-Hot-Stuff and Bachelor Party. One company, the Computer Kinetics Corporation of Westlake Village, Calif., quietly introduced two X-rated arcade games for use in bars.

The other, American Multiple Industries of Northridge, Calif., more noisily introduced three adult-only games for use on the Atari home game consoles, and it raised a storm of protest. Its product demonstration in New York 10 days ago attracted protestors from the National Organization of Women, Women against Pornography and American Indian groups. Then the company was denounced and sued by Atari.

The main game in dispute, Custer's Revenge, involves a nearly naked General Custer who must scamper across a field to reach an Indian maiden. When he gets there he "evens up an old score," according to the game's promotional literature. Protesters contend the game condones rape. The company say the video characters are mutually consenting.

Atari, in its suit, claims its business has been damaged because people associate it with the X-rated games, not realizing they were developed by a separate company. "Several people have written to us that they are distressed that Atari would be doing this," said Kenneth J. Nussbacher, an Atari attorney. "People have been telling us they are going to throw out our products."

Atari realizes, however, that it cannot expect to stop sales of the games merely because they are obscene. "We're not looking to run into the First Amendment," said Mr. Nussbacher. It is instead claiming that American Multiple Industries has failed to adequately disassociate itself from Atari, thereby capitalizing on Atari's name and trademark.

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Stuart Kesten, president of American Multiple Industries, says that the game packages say the games are for use with the Atari system but does not say they are made by Atari. He said there is a statement on the back of the packages disassociating the product from Atari, albeit in small print.

The protest over video games is the latest concerning obscenity in the new electronic media. The video cassette recorder business was nurtured in its early years by pornographic tapes. Controversies have flared over whether to allow X-rated and R-rated programs on cable television. Videodisk manufacturers and those offering electronic information services known as videotex are starting to grapple with policies on obscenity.

A key question is whether the new media should be treated as books, which anyone can publish, or like broadcasting, which is regulated and controlled, according to Richard Neustadt, a Washington lawyer and former communications policy adviser in the Carter White House.

Video games are clearly like books and records, in that anyone should be able to publish them, he said. No one today blames a stereo manufacturer for obscene records. But people do not yet realize that other companies besides Atari can make games to play on Atari consoles or that a cable company might not have complete control over programs.